

ORIGINAL

FILED

May 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0518

STATE OF MONTANA,

Plaintiff and Appellee,

v.

THOMAS HAMILTON MCCLELLAND,

Defendant and Appellant.

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

COMES NOW, Jennifer A. Hurley, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until May 31, 2010, in which to prepare, file, and serve the Appellant's reply brief in the above-entitled matter. This is Appellant's first extension request for the reply brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 7th day of May, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
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P.O. Box 200145
Helena, MT 59620-0145

By: *J. Hurley*

JENNIFER A. HURLEY

Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: 5/7/2010 Sarah H. Brader